

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DAVID H. DEAN,
Plaintiff,

v.

LOWE'S HOME CENTERS, INC.,
Defendant.

CA No. 04-12605-mel

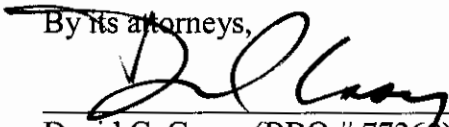
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56 and upon the pleadings, affidavits, deposition testimony, and documents submitted herewith, defendant Lowe's Home Centers, Inc. moves for summary judgment on all counts of plaintiff's complaint. Defendant sets forth the grounds for this Motion in the accompanying memorandum of law and affidavits.

WHEREFORE, defendant respectfully asks the Court to enter judgment in its favor on Counts I and II of plaintiff's complaint.

LOWE'S HOME CENTERS, INC.

By its attorneys,


David C. Casey (BBO # 77260)

Amy L. Nash (BBO # 647304)

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Dated: June 6, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon counsel for the plaintiff by mail on this 6th day of June 2005.

A handwritten signature in black ink, appearing to read 'Amy L. Nash', is written above a horizontal line.

Amy L. Nash